

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

FAIR ISAAC CORPORATION, a)	Case No. 16-cv-1054 (DTS)
Delaware corporation,)	
)	
Plaintiff,)	
)	
v.)	
)	
FEDERAL INSURANCE COMPANY,)	
an Indiana corporation and ACE)	
AMERICAN INSURANCE)	
COMPANY, a Pennsylvania)	
corporation,)	
)	
Defendants.)	

**DECLARATION OF MICHAEL ERBELE IN SUPPORT OF
PLAINTIFF FAIR ISAAC CORPORATION'S TRIAL MEMORANDUM**

I, Michael Erbele, declare as follows:

1. I am a partner with Merchant & Gould P.C., and I am one of the attorneys of record for Plaintiff Fair Isaac Corporation in the above captioned matter.
2. I make this Declaration on my own information, knowledge, and belief in support of Plaintiff Fair Isaac Corporation's Trial Memorandum.
3. Attached hereto as Exhibit A is a true and correct copy of Federal Insurance Company's Second Supplemental Response to Interrogatory Nos. 2, 3 & 4 dated June 21, 2018, and verified on July 30, 2018.
4. Attached hereto as Exhibit B is a true and correct copy of Federal Insurance Company's Response to Plaintiff's Second Set of Requests for Admission, dated January 29, 2018.

5. Attached hereto as Exhibit C is a true and correct copy of pages 34-41 of the Rule 30(b)(6) Deposition Transcript of John Taylor, dated August 2, 2018. This document is filed UNDER SEAL.

6. Attached hereto as Exhibit D is a true and correct copy of the Letter from Thomas F. Carretta to Andrew D. Hopp, dated March 30, 2016, and marked as Deposition Exhibit No. 103.

7. Attached hereto as Exhibit E is a true and correct copy of Federal Insurance Company's Answers to Plaintiff's First Set of Interrogatories, dated May 11, 2017.

8. Attached hereto as Exhibit F is a true and correct copy of the Letter from Thomas F. Carretta to Joseph F. Wayland dated, January 27, 2016, and marked as Deposition Exhibit No. 90.

9. Attached hereto as Exhibit G is a true and correct copy of Schedule 8.0 and Schedule 9.0B of the Second Supplemental Expert Report of Neil J. Zoltowski with Respect to Damages dated May 13, 2021. The excerpts included in Exhibit G are part of the public record at Docket 918.

10. Attached hereto as Exhibit H is a true and correct copy of pages 51-53 of the Expert Report of W. Christopher Bakewell Regarding Damages, dated May 17, 2019. The excerpts included in Exhibit H are part of the public record at Docket 600.

11. Attached hereto as Exhibit I is a true and correct copy of pages 50-65 of the Deposition Transcript of Chris Bakewell, dated June 28, 2019. The excerpts included in Exhibit I are part of the public record at Docket 600-2.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 25, 2023

/s/ Michael Erbele
Michael Erbele